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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 LANCE IAN OSBAND,

11 Petitioner,

No. CIV S-97-0152 WBS KJM

12 vs.

DEATH PENALTY CASE

13 ROBERT L. AYERS, JR.,
14 Acting Warden of San Quentin
State Prison,

Respondent.

ORDER

15 _____/
16 Respondent moves to file his exhibit/witness list under seal based on the June 14,
17 2006 protective order. Petitioner does not oppose the request. The court, however, is concerned
18 about the unnecessary sealing of information that should be generally available in this public
19 proceeding. The protective order is limited to documents produced to respondent in response to
20 respondent's motion to discover trial counsel's file and the mental health examinations of Drs.
21 Yarvis and Hutchinson, prepared at trial counsel's request in preparation for trial. Information in
22 respondent's exhibit/witness list covered directly by the protective order shall be sealed. All
23 other information shall be made available on the court's public docket.

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Accordingly, and good cause appearing, IT IS HEREBY ORDERED as follows:

1. Respondent's November 15, 2006 motion to file exhibit/witness list under seal is granted in part.
2. Within five days of the filed date of this order respondent shall file:
 - (a) under seal, his entire exhibit/witness list, and (b) publicly, a version of the exhibit/witness list with redactions of only that information directly covered by the June 14, 2006 protective order.

DATED: November 27, 2006.



U.S. MAGISTRATE JUDGE